

มติในการขยายระยะเวลาในการปฏิบัติตาม Article 70.9 ให้แก่ประเทศพัฒนาน้อยที่สุด

**WORLD TRADE  
ORGANIZATION**

**WT/L/478**  
12 July 2002

(02-3891)

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**LEAST-DEVELOPED COUNTRY MEMBERS – OBLIGATIONS UNDER  
ARTICLE 70.9 OF THE TRIPS AGREEMENT WITH  
RESPECT TO PHARMACEUTICAL PRODUCTS**

Decision of 8 July 2002<sup>1</sup>

The General Council,

*Having regard* to paragraphs 1, 3 and 4 of Article IX of the Marrakesh Agreement Establishing the World Trade Organization (the "WTO Agreement");

*Conducting* the functions of the Ministerial Conference in the interval between meetings pursuant to paragraph 2 of Article IV of the WTO Agreement;

*Noting* the decision of the Council for TRIPS on the Extension of the Transition Period under Article 66.1 of the TRIPS Agreement for Least-Developed Country Members for Certain Obligations with respect to Pharmaceutical Products (IP/C/25) (the "Decision"), adopted by the Council for TRIPS at its meeting of 25-27 June 2002 pursuant to the instructions of the Ministerial Conference contained in paragraph 7 of the Declaration on the TRIPS Agreement and Public Health (WT/MIN(01)/DEC/2) (the "Declaration");

*Considering* that obligations under paragraph 9 of Article 70 of the TRIPS Agreement, where applicable, should not prevent attainment of the objectives of paragraph 7 of the Declaration;

*Noting* that, in light of the foregoing, exceptional circumstances exist justifying a waiver from paragraph 9 of Article 70 of the TRIPS Agreement with respect to pharmaceutical products in respect of least-developed country Members;

*Decides* as follows:

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<sup>1</sup> Adopted in accordance with the Decision-Making Procedures under Articles IX and XII of the WTO Agreement agreed by the General Council in November 1995 (WT/L/93).

1. The obligations of least-developed country Members under paragraph 9 of Article 70 of the TRIPS Agreement shall be waived with respect to pharmaceutical products until 1 January 2016.
2. This waiver shall be reviewed by the Ministerial Conference not later than one year after it is granted, and thereafter annually until the waiver terminates, in accordance with the provisions of paragraph 4 of Article IX of the WTO Agreement.

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(Obtained from: <http://docsonline.wto.org>)